

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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JOHN WALTER GERMAINE and  
XIAOHONG ZHANG-GERMAINE,

Plaintiffs,

v.

HAWKS QUINDEL EHLKE & PERRY, S.C. and  
BARBARA ZACK QUINDEL,

Defendant.

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ORDER

13-cv-823-bbc

JOHN WALTER GERMAINE and  
XIAOHONG ZHANG-GERMAINE,

Plaintiffs,

v.

SUSSEK MACHINE CORPORATION 'et al' and  
CHRISTOPHER SUSSEK,

Defendant.

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ORDER

13-cv-824-bbc

These cases were closed on January 16, 2014, when Plaintiffs John Germaine and Xiaohong Zhang-Germaine failed to pay the \$400.00 fee for filing each of these two cases. Now plaintiff John Germaine has filed a letter in which he states that he and his spouse are not in a financial position to pay the filing fees and he asks the court to reconsider plaintiffs request to proceed without paying the filing fee and to reinstate these lawsuits.

Regarding his financial status, plaintiff John Germaine states that he incurs medical expenses of approximately \$827 per month and that he and his wife assist in caring for plaintiff Xiaonong Zhang-Germaine's mother. Based on this new information, the court finds that plaintiffs qualify for indigent status.

Accordingly, plaintiffs' complaints will be taken under advisement for a determination whether the complaints or any portion of them must be dismissed as frivolous or malicious, for failure to state a claim upon which relief may be granted or because plaintiff is seeking damages from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2). As soon as a ruling is issued, plaintiffs will be notified promptly. In addition, if plaintiffs need to communicate with the court about their cases, they should send their submissions to the court via US Mail. Any e-mailed submissions sent to this court's CM/ECF help desk or new case filing e-mail addresses will not be considered by the court.

Finally, plaintiffs are reminded that Fed. R. Civ. P. 11 requires a signature on every pleading, written motion and other paper. Plaintiffs are equally responsible for the prosecution of this lawsuit. Any document that purports to state the position of both plaintiffs must be signed by each of the plaintiffs. A plaintiff's failure to sign future submissions may result in the filing being stricken.

#### ORDER

IT IS ORDERED that plaintiffs' request to proceed without prepaying the filing fee is GRANTED. Case numbers 13-cv-823-bbc and 13-cv-824-bbc are reopened.

Entered this 28<sup>th</sup> day of February, 2014.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge